

I. CALL TO ORDER:

II. PLEDGE OF ALLEGIANCE:

A Regular Meeting of the Governing Body of the Borough of Lincoln Park was held in the Council Chambers of the Municipal Building, 34 Chapel Hill Road, Lincoln Park, New Jersey on, February 16, 2016. The Clerk Called the Meeting to Order at 7:30 PM and made the Statement of Compliance with the Open Public Meetings Act. The Clerk advised those present where the exits to the room were and to turn off all cell phones. After the Pledge of Allegiance the Clerk called the Roll showing the following:

III. ROLL CALL:

PRESENT: Council Members: Robert Cardillo
Gary Gemian
Raymond T. Kerwin
Dan Moeller
Ellen Ross
James A. Wild
Ann Thompson

ABSENT: None

Also PRESENT were Mayor Runfeldt, Perry Mayers, Borough Administrator, Chris DiLorenzo, Borough Attorney.

IV. MINUTES FOR APPROVAL:

Kerwin: Minutes for Approval, January 19, 2016 Regular Meeting Minutes.

Thompson: So Moved
Moeller: Second

Kerwin: Any questions, comments or corrections? Call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.
No: None
Absent: None
Abstain: None

The Minutes of January 19, 2016 were approved.

Kerwin: Minutes for Approval, February 1, 2016 Work Session Minutes.

Thompson: So Moved
Moeller: Second

Kerwin: Any questions, comments or corrections? Call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Wild and Kerwin.
No: None
Absent: None
Abstain: Thompson

The Minutes of February 1, 2016 were approved.

V. RESOLUTIONS: CONSENT AGENDA

Kerwin: Resolutions Consent Agenda R16-71 through R16-82.

Ross: So Moved
Thompson: Second

RESOLUTION R16-71

WHEREAS, Jerry's Shell had heretofore deposited with the Borough of Lincoln Park, a Zoning Permit 2014-62Z in connection with a property located at 11 Boonton Turnpike, Lincoln Park 07035; and

WHEREAS, Jerry's Shell has submitted a written request, on file in the Office of the Chief Financial Officer, that unused escrow funds be returned; and

WHEREAS, Kerry Geisler, Chief Financial Officer for the Borough, has reported in her Certification of funds for Release of Escrow Money, that a balance does remain in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account # 2318 and may be refunded to, **Jerry's Shell; and**

WHEREAS, Paul Darmofalski, Borough Engineer, has inspected the premises, and has reported that the applicants have complied with/satisfied all of the required conditions, and has submitted a report to the Borough Administration, report on file in his office, recommending release of the remaining escrow funds;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that funds on deposit from, **Jerry's Shell** in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2318 for a Zoning Permit 2014-62Z in connection with a property located at 11 Boonton Turnpike, Lincoln Park 07035; be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted and pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

RESOLUTION 16-72

WHEREAS, at the Municipal Tax Sale held June 24, 2015, a lien was sold on block 115, lot 1, also known as 37 Willow Ave in Lincoln Park, for 2014 water and sewer; and

WHEREAS, this lien, known as Tax Sale Certificate #15-00034, was sold to US Bank Cust for PC 4 & Crdtrs at 18% interest; and

WHEREAS, Corelogic, mortgage company for owner, has effected redemption of certificate #15-00034, in the amount of \$1,377.61;

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$1,377.61, for the redemption of Tax Sale Certificate #15-00034, payable to US Bank Cust for PC 4 & Crdtrs at 50 South 16th Street, Suite 1950, Philadelphia, PA 19102

RESOLUTION 16-73

WHEREAS, at the Municipal Tax Sale held June 24, 2015, a lien was sold on block 23, lot 20, also known as 48 Harmon Street in Lincoln Park, for 2014 water and sewer; and

WHEREAS, this lien, known as Tax Sale Certificate #15-00011, was sold to Leed Capital for \$5,000.00 premium; and

WHEREAS, Corelogic, mortgage company for owner, has effected redemption of certificate #15-00011, in the amount of \$4,658.42;

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$4,658.42 and \$5,000.00 premium, for the redemption of Tax Sale Certificate #15-00011, payable to Leed Capital at 946 Main Street, Hackensack, NJ 07601

RESOLUTION 16-74

WHEREAS, at the Municipal Tax Sale held June 24, 2015, a lien was sold on block 46.7, lot 131, also known as 131 Stonyridge Drive in Lincoln Park, for 2014 water and sewer; and

WHEREAS, this lien, known as Tax Sale Certificate #15-00017, was sold to Dianne Clemente for \$1,500.00 premium; and

WHEREAS, Corelogic, mortgage company for owner, has effected redemption of certificate #15-00017, in the amount of \$1,768.18;

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$1,768.18 and \$1,500.00 premium, for the redemption of Tax Sale Certificate #15-00017, payable to Dianne Clemente at 4112 Ramapo Court, Riverdale, NJ 07457

RESOLUTION R16-75

WHEREAS, F.P. Duffy, Inc. ("Taxpayer") filed a tax appeal against the Borough of Lincoln Park (hereinafter, "Borough") to the Tax Court of New Jersey for the Tax Years 2012, 2013, 2014 and 2015 challenging the assessment of real property known as Block 5, Lot 3 (52 Bog and Vly Lane) as shown on the Official Tax Map of the Borough of Lincoln Park; and

WHEREAS, there were negotiations between the parties and a settlement has been proposed and is being recommended by the Borough's Tax Attorney and Borough Assessor; and

WHEREAS, the Governing Body desires to approve the same.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Lincoln Park, County of Morris, State of New Jersey as follows:

1. The settlement of the tax appeal for Block 5, Lot 3 reducing the assessment of \$2,728,300 to \$2,553,300 for Tax Year 2012 is hereby authorized and approved.

2. The settlement of the tax appeal for Block 5, Lot 3 reducing the assessment of \$2,728,300 to \$2,553,300 for Tax Year 2013 is hereby authorized and approved.

3. The settlement of the tax appeal for Block 5, Lot 3 reducing the assessment of \$2,728,300 to \$2,553,300 for Tax Year 2014 is hereby authorized and approved.

4. The settlement of the tax appeal for Block 5, Lot 3 reducing the assessment of \$2,728,300 to \$2,553,300 for Tax Year 2015 is hereby authorized and approved.

5. Plaintiff's agreement to waive prejudgment interest on any tax overpayment is approved provided that the refund is paid within sixty days of the date of the Tax Court Judgment.

6. The Borough's Tax Attorney is hereby authorized to sign the Stipulation of Settlement incorporating the complete agreement between the parties.

7. The Borough Assessor, Borough's Tax Attorney, Borough Tax Collector, employees, agents or representatives of the Borough are hereby authorized to do whatever is necessary to effectuate the purpose of this Resolution.

8. This Resolution shall take effect immediately.

RESOLUTION R16-76

WHEREAS, there were negotiations between 510 Ryerson Road, Inc. and the Borough of Lincoln Park before trial and a settlement has been proposed and is being recommended by the Borough Attorney and the Borough Tax Assessor

Whereas, said judgment reduces the assessment of the subject property of block 22, lot 338 from \$7,500,000 to \$6,600,000 for 2013; and

Whereas, said judgment also reduces the assessment of the subject property of block 22, lot 338 from \$7,500,000 to \$6,600,000 for 2014; and

Whereas, said judgment also reduces the assessment of the subject property of block 22, lot 338 from \$7,500,000 to \$6,600,000 for 2015; and

Whereas, this tax court judgment is on file in the Office of the Tax Assessor and the Tax Collector and are subject to annual audit; and

NOW, THEREFORE, BE IT RESOLVED By the Governing body of the Borough of Lincoln Park, that the Tax Collector is hereby authorized to refund the amount of \$67,851.00 made payable to "510 Ryerson Road, Inc." at Philip D. Neuer, Esq, 1875 McCarter Highway, Newark, NJ 07104.

Block/lot	Year	Refund
22/338	2013	\$22,374.00
22/338	2014	\$22,491.00
22/338	2015	\$22,986.00
	Total	\$67,851.00

RESOLUTION R16-77

WHEREAS, there were negotiations between Beavers Corp and the Borough of Lincoln Park before trial and a settlement has been proposed and is being recommended by the Borough Attorney and the Borough Tax Assessor

Whereas, said judgment reduces the assessment of the subject property of block 104, lot 7 from \$597,100 to \$480,500 for 2012; and

Whereas, said judgment also reduces the assessment of the subject property of block 104, lot 7 from \$597,100 to \$480,500 for 2013; and

Whereas, said judgment also reduces the assessment of the subject property of block 104, lot 7 from \$597,100 to \$480,500 for 2014; and

Whereas, said judgment also reduces the assessment of the subject property of block 104, lot 7 from \$597,100 to \$480,500 for 2015 due to the Freeze Act; and

Whereas, this tax court judgment is on file in the Office of the Tax Assessor and the Tax Collector and are subject to annual audit; and

NOW, THEREFORE, BE IT RESOLVED By the Governing body of the Borough Of Lincoln Park, that the Tax Collector is hereby authorized to refund the amount of \$11,656.52 Made out to McElroy, Deutch, Mulvaney & Carpenter Attorney Trust Fund at McElroy, Deutch, Mulvaney & Carpenter, LLP, 1300 Mount Kemble Avenue, P.O. Box 2075, Morristown, NJ 07962-2075

Block/lot	Year	Refund
104/7	2012	\$2,866.03
104/7	2013	\$2,898.68
104/7	2014	\$2,913.84
104/7	2015	\$2,977.97
	TOTAL	\$11,656.52

RESOLUTION R16-78

WHEREAS, there were negotiations between Beavers Corp and the Borough of Lincoln Park before trial and a settlement has been proposed and is being recommended by the Borough Attorney and the Borough Tax Assessor

Whereas, said judgment reduces the assessment of the subject property of block 104, lot 7.1 from \$359,300 to \$314,500 for 2012; and

Whereas, said judgment also reduces the assessment of the subject property of block 104, lot 7.1 from \$359,300 to \$314,500 for 2013; and

Whereas, said judgment also reduces the assessment of the subject property of block 104, lot 7.1 from \$359,300 to \$314,500 for 2014; and

Whereas, said judgment also reduces the assessment of the subject property of block 104, lot 7.1 from \$359,300 to \$314,500 for 2015 due to the Freeze Act; and

Whereas, this tax court judgment is on file in the Office of the Tax Assessor and the Tax Collector and are subject to annual audit; and

NOW, THEREFORE, BE IT RESOLVED By the Governing body of the Borough of Lincoln Park, that the Tax Collector is hereby authorized to refund the amount of \$4,478.68 made out to McElroy, Deutsch, Mulvaney & Carpenter Attorney Trust Fund at McElroy, Deutch, Mulvaney & Carpenter, LLP, 1300 Mount Kemble Avenue, P.O. Box 2075, Morristown, NJ 07962-2075.

Block/lot	Year	Refund
104/7.1	2012	\$1,101.19
104/7.1	2013	\$1,113.73
104/7.1	2014	\$1,119.56
104/7.1	2015	\$1,144.20
	TOTAL	\$4,478.68

RESOLUTION R16-80

ADOPTING UPDATED PURCHASING MANUAL DELINEATING PURCHASING POLICY AND PROCEDURES FOR THE BOROUGH OF LINCOLN PARK

WHEREAS, the Borough Administrator/Qualified Purchasing Agent has developed and updated the Purchasing Manual that delineates the purchasing policy and procedures for the Borough of Lincoln Park; and

WHEREAS, the adoption of the updated Purchasing Manual will help to assure the Borough's purchasing policy and procedures are in compliance with Local Public Contract Law (N.J.S.A. 40A:11 et. seq.); and

WHEREAS, the Borough Administrator/Qualified Purchasing Agent recommends that the Lincoln Park Borough Council adopt the updated Purchasing Manual to assure compliance and improve efficiency for the Borough; and

WHEREAS, the Borough Administrator/Qualified Purchasing Agent recommends that the updated Purchasing Manual be distributed to all Department Heads with a directive that the policy and procedures contained therein are to be followed for all purchases of and/or for the Borough of Lincoln Park;

NOW, THEREFORE BE IT RESOLVED that the Council of the Borough of Lincoln Park hereby adopts an updated Purchasing Manual which contains the purchasing policy and procedures for the Borough of Lincoln Park and that said Purchasing Manual shall be distributed to all Department Heads with a directive that the procedures contained therein are to be followed for all purchases of and/or for the Borough of Lincoln Park.

RESOLUTION R16-81

PLEDGE OF MUNICIPAL SUPPORT FOR NEW JERSEY'S WILDLIFE ACTION PLAN

THIS PLAN IS IN SUPPORT OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF FISH AND WILDLIFE, STATE-LEVEL PRIORITY CONSERVATION GOALS AND STRATEGIES

RECOGNIZING THAT ANIMALS ARE AN INTEGRAL AND VALUABLE PART OF ALL COMMUNITIES AND BELIEVING CONCERN FOR THE WELLBEING OF WILD ANIMALS AND WILD SPECIES IS A HALLMARK OF A SUSTAINABLE NATURAL COMMUNITY THE BOROUGH OF LINCOLN PARK PLEDGES ITS SUPPORT FOR THE NEW JERSEY WILDLIFE ACTION PLAN AS OUTLINED;

WHEREAS, New Jersey is home to a rich diversity of wildlife and ecologically significant natural communities,

WHEREAS, NEW Jersey's wildlife and wild places are under threat from development, fragmentation, invasive species and the impacts of people,

WHEREAS, the populations of mammals, birds, invertebrates, fish, reptiles and amphibians that live in and migrate through New Jersey find themselves clinging to smaller and smaller pieces of wild clean lands and aquatic habitats,

WHEREAS, it is more cost-effective to prevent species from becoming imperiled than it is to recover them once their populations have declined,

WHEREAS, a naturally functioning and healthy ecosystem represents a healthy environment for NJ wildlife and our citizens,

WHEREAS, the NJ Division of Fish and Wildlife, other state and federal agencies, and many partners in conservation have worked together to develop a state Wildlife Action Plan for the benefit of biologists, wildlife experts, municipal leaders. Land stewards, non-profit organization, educators, planners, researchers, outdoor recreation enthusiasts, landowners and all the people who know the wild places of New Jersey State,

WHEREAS, the New Jersey Wildlife Action plan is a comprehensive action agenda for the conservation of native wildlife, the restoration of important lands and water, and public education targeting the needs of native wildlife in New Jersey,

WHEREAS, the residents of, and visitors to, New Jersey also enjoy and benefit from New Jersey's wildlife and wild spaces.

NOW THEREFORE, we the Borough of Lincoln Park, resolve to take the following steps with regard to our municipal land-use decision with the intent of making The Borough of Lincoln Park an ecologically sustainable community. It is our intent to include these principles in our public lands management, our environmental resources inventory and to inform the next master plan revision and update our zoning accordingly.

We will identify imperiled species, critical habitat and unique eco systems in our Environmental Resource Inventory.

Acknowledging that it is more cost-effective to protect species that recover species, we will protect populations of rare and imperiled species that live and breed in, and migrate through, the municipality and the habitats they depend upon.

Because habitat integrity is critical to healthy biodiversity we will manage publicly owned lands in accordance with wildlife management actions laid out in the New Jersey Wildlife Action Plan and will promote the management of all protected lands to promote biodiversity.

We will protect wildlife habitats and maintain connectivity of habitat when formulating an open space acquisition strategy, open space stewardship plans and through the municipal master plan including planning and zoning ordinances.

We will seek to minimize disturbance of critical wildlife populations and their habitats from human activities, subsidized predators and invasive species.

When possible and appropriate we will work with neighboring municipalities to implement the aforementioned principles across municipal boundaries.

When possible and appropriate, we will strive to monitor and implement appropriate management of municipal easements to ensure native vegetation and wildlife takes precedence over invasive and/or exotic species.

RESOLUTION R16-82

MUNICIPAL SUPPORT FOR RESPONSIBLE PET OWNERSHIP PROGRAMS IN THE COMMUNITY

RECOGNIZING that cats and dogs are an integral and valuable part of all communities, and contribute to the wellbeing of humans, whether as companions, service animals or therapy pets, and;

UNDERSTANDING that municipalities have an important role in ensuring the well-being of animals while balancing the needs of pet owners and non-pet owners;

WHEREAS, legislators and municipal officials report that the number of calls from citizens about animal related issues rival any other issue (s);

WHEREAS, there are approximately 2.2 million owned dogs and 2.5 million owned cats in New Jersey;

WHEREAS, New Jersey was the first state in the Nation to develop an innovative state-wide spay-neuter program and all proceeds from the sale of Animal Friendly License Plates are used to reimburse participating veterinarians for spaying and neutering surgeries;

WHEREAS, State responsibility for promoting responsible pet care and ensuring that pets do not suffer due to abuse, neglect, or lack of proper care in kennels, pet shops, shelters, and pounds (animal facilities) is vested in the Office of Animal Welfare within the New Jersey Department of Health and Senior Services;

WHEREAS, The New Jersey Society to Prevent Cruelty to Animals (NJSPCA) and municipal Animal Cruelty Investigators (ACIs) are responsible for investigating and acting as officers for the detection, apprehension, and arrest of offenders against the animal cruelty laws;

WHEREAS, New Jersey mandates training requirements for animal control officers and Animal Cruelty Investigators;

WHEREAS, New Jersey impounds over 100,000 animals per year in animal shelters and impoundment facilities;

WHEREAS, approximately 37% of the animals that enter New Jersey's impoundment facilities are euthanized, at a rate of around 3,000 every month;

WHEREAS, free-roaming unvaccinated cats and dogs present a potential health threat to humans through the spread of such zoonotic diseases as rabies, leptospirosis, toxoplasmosis, roundworms, animal bites, and environmental contamination from animal feces;

WHEREAS, stray and unwanted pets place an enormous financial burden on municipalities and non-profit humane agencies organized to care for the animals; (to calculate an average per animal cost for your municipality, divide the total shelter expenditures – municipal animal control and shelter expenses – by the total number of animals served per year)

WHEREAS, it is more humane and cost-effective to reduce the number of unwanted animals than it is to impound and euthanize unwanted or unclaimed dogs and cats;

WHEREAS, all dogs are required to be licensed in the municipality where they are housed and the majority of municipalities also require licensure of cats. (Current vaccination against rabies is a pre-requisite to licensure);

WHEREAS, all municipalities are required to canvass their residents to locate unlicensed dogs:

NOW THEREFORE, we the municipality of Lincoln Park resolve to take the following steps with regard to our municipal responsibilities with the intent of making Lincoln Park a truly sustainable community.

It is our intent to do our utmost, within the bounds of our jurisdiction, to ensure that companion animals are treated humanely, respectfully, and responsibly through public education and through exercise of powers vested within New Jersey municipalities as follows:

Authority of municipalities;

Pursuant to New Jersey Statutes, all municipalities must appoint a certified animal control officer who shall be responsible for animal control within the jurisdiction of the municipality, including providing emergency veterinary care for injured stray animals and coverage outside of normal working hours;

The municipality in which an animal facility is located is responsible for issuing the license for that facility to operate;

The NJ Vicious Dog Law establishes a state-wide standard for municipalities to effectively address situation of vicious or potentially dangerous dogs, regardless of breed;

The Animal Population Control Program provides for low-cost spaying and neutering for pet owners adopting dogs and cats from New Jersey shelter, pounds, and animal adoption referral agencies and pet owners participating in one of several Public Assistance Programs.

The Municipality pledges to:

Enforce all animal and rabies control statutes and regulations, including the requirement to pick up and impound all stray dogs and cats, excepting stray and feral cats in managed TNR programs.

Work to improve the enforcement of animal cruelty statutes.

Educate our community, including school children, about their responsibilities towards the pet animals they chose to keep.

Institute, as appropriate, cat licensing ordinance and increase the percentage of licensed dogs and cats through ease of licensing and licensing enforcement measures.

Identify and work to implement best practices to prevent unwanted breeding through effective animal control, availability of low-cost pet spaying and neutering services, public education, and pet-friendly rental and senior housing.

Identify alternatives to euthanasia of adoptable companion animals, including utilizing foster homes, adoption networks and providing remedial behavior training services to existing and future owners.

Assist in identifying resources to improve the conditions and increase the capacity of animal shelters and impoundment facilities and animal control services.

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.

No: None

Absent: None

Abstain: None

VI. REGULAR AGENDA:

Kerwin: R16-79, Authorize Transmittal of Resolution Area in need of Rehabilitation.

Kerwin: Any questions or comments regarding Resolution R16-79?

Thompson: So Moved

Gemian: Second

RESOLUTION R16-79

TRANSMITTING THE PROPOSED RESOLUTION CONCERNING THE DESIGNATION OF AN AREA IN NEED OF REHABILITATION PURSUANT TO N.J.S.A. 40A:12A-14 TO THE PLANNING BOARD.

WHEREAS, the Borough of Lincoln Park is authorized pursuant to N.J.S.A. 40A:12A-14 to determine that a delineated area may be in need of rehabilitation if the Governing Body determines by resolution that there exist conditions that (1) a significant portion of the structures therein are in a deteriorated or substandard condition and there is a continuing pattern of vacancy, abandonment or underutilization of properties in the area, with a persistent arrearage of property tax payments thereon or (2) more than half of the housing stock in the delineated area is at least 50 years old, or a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance; and (3) a program of rehabilitation as defined in N.J.S.A. 40A:12A-3 may be expected to prevent further deterioration and promote the overall development of the community; and

WHEREAS, on April 20, 2015, the Governing Body adopted Resolution No. R15-122 which authorized an investigation into whether the Tax Blocks 22, 9, 40, 22.01, 5, 3.05, 137, 138, 139, 35.01 and 35 all within the Borough's downtown area, inclusive of the streets adjacent to these Borough Blocks ("Original Study Area") constitutes an area in need of rehabilitation pursuant to N.J.S.A. 40A-12A-14; and

WHEREAS, the Borough Council wanted to have a narrower area of the Borough investigated than the Original Study Area to determine if such area qualifies for designation an "Area in Need of Rehabilitation" pursuant to N.J.S.A. 40A:12A-14; specifically the following Blocks and Lots:

<u>BLOCK 9</u>	<u>ADDRESS</u>
Lot 80.1	209 Comly Road
<u>BLOCK 22</u>	
Lot 289	265 Main Street
Lot 289.1	1 Station Road
Lot 289.2	County by viaduct
Lot 289.3	County by viaduct
Lot 310	300 George Cobb Lane

Lot 309	290 George Cobb Lane
Lot 308.01	284 George Cobb Lane
Lot 304	261 Comly Road
Lot 298	266 George Cobb Lane
Lot 297	260 George Cobb Lane
Lot 305.01	Comly Road
Lot 305	275 Comly Road
Lot 321	57 Boonton Turnpike
Lot 322	59 Boonton Turnpike
Lot 323	63 Boonton Turnpike
Lot 326	Boonton Turnpike
Lot 326.01	ROW between along Lot 327
Lot 327	67 Boonton Turnpike
Lot 324	65 Boonton Turnpike
Lot 328	Boonton Turnpike
Lot 328.1	71 Boonton Turnpike
Lot 331	75 Boonton Turnpike
Lot 332	77 Boonton Turnpike
Lot 334	81 Boonton Turnpike

BLOCK 22.1

Lot 295	248 Main Street
Lot 294	242-246 Main Street
Lot 292	234 Main Street
Lot 291	3 Chapel Hill Road
Lot 291.1	7 Chapel Hill Road
Lot 296	254 Comly Road
Lot 299	9 Chapel Hill Road
Lot 300	15 Boonton Turnpike
Lot 302	31 Boonton Turnpike

BLOCK 139

Lot 21	247 Main Street
Lot 20	243-245 Main Street
Lot 19	239 Main Street
Lot 18	233 Main Street
Lot 16	223-225 Main Street
Lot 14	215-217 Main Street
Lot 2	211 Main Street

BLOCK 139 (continued)

Lot 1	8 Zeff Place
Lot 6	13 Station Road
Lot 8	2 Station Road

BLOCK 138

Lot 12	195-197 Main Street
Lot 11	193 Main Street
Lot 10	191 Main Street
Lot 8	181 Main Street
Lot 7	177 Main Street
Lot 1	4 & 6 McKelvey Street
Lot 3	185 Main Street
Lot 4	29 Station Road
Lot 5	11 Zeff Place

BLOCK 137

Lot 13	26 Station Road
Lot 13.01	28 Station Road
Lot 12	30 Station Road
Lot 10	34 Station Road
Lot 9	14 McKelvey Street
Lot 1	18 McKelvey Street
Lot 1.1	20 McKelvey Street
Lot 8	19 Zeff Place
Lot 6	21 Zeff Place

BLOCK 5

Lot 36	20 Zeff Place
Lot 37	22 Station Road
Lot 38	18 Station Road
Lot 40	16 Station Road
Lot 42	12 and 6 Station Road

(Lot 43 was combine with lot 42)

Lot 20	60 Beaver Brook Road
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Lot 20.01 9 McKelvey Street
Lot 23.01 24 Beaver Brook Road

(Lots 23.01 and 23.02 have been combined with

Lot 23.02 20 Beaver Brook Road

Lot 20 the Shop-Rite shopping center lot – both

Lot 23 14 Beaver Brook Road

23.01 and 23.02 are for parking)

Lot 32 10 Beaver Brook Road

Lot 34 Beaver Brook Road

Lot 35 4 Beaver Brook Road

BLOCK 3.05

Lot 313 35 Beaver Brook Road

Lot 313.1 31 Beaver Brook Road

Lot 309 141 Main Street

Lot 310.3 145 Main Street

Lot 310.2 Main Street

BLOCK 3.05 (continued)

Lot 53.01 153 Main Street

Lot 311 Main Street

BLOCK 39

Lot 1 146 Main Street

Lot 3 156 Main Street

BLOCK 35

Lot 113 166 Main Street

BLOCK 35.01

Lot 115	182 Main Street
115.07	190-194 Main Street
115.01	200 Main Street
Lot 115.03	196 Main Street
Lot 115.06	206 Main Street
Lot 115.09	212 Main Street
Lot 115.14	204 Main Street
Lot 115.13	188 Main Street
Lot 115.11	11 Boonton Turnpike
Lot 115.12	7 Boonton Turnpike
Lot 115.02	8 Chapel Hill Road
Lot 115.04	10 Chapel Hill Road

BLOCK 40

Lot 2	Canal Property (Borough of Lincoln Park)
Lot 3	25 Chapel Hill Road
Lot 3.01	29 Chapel Hill Road
Lot 4	Chapel Hill Road (Lincoln Park Board of Ed – school property)

Together with adjacent roadways

(Collectively these roadways, blocks and lots shall be referred to as the “New Study Area”)

WHEREAS, on December 21, 2015, the Governing Body adopted Resolution No.R-15-276 which authorized an investigation into whether the New Study Area all within the Borough’s downtown area, inclusive of the streets adjacent to these Borough Blocks (hereinafter the “Study Area”) constitute an area in need of rehabilitation pursuant to N.J.S.A. 40A-12A-14; and

WHEREAS, the Governing Body has received and reviewed the report prepared by Ricci Planning, dated January 11, 2016, which is entitled “Rehabilitation Study” that is attached hereto and incorporated herein as Exhibit A (the “Investigation Report”) that supports a finding that the New Study Area qualifies as an area in need of rehabilitation because:

- a. At least half of the housing stock in the New Study Area is at least 50 years old; and
- b. That there is a pattern of vacancy, abandonment or underutilization of properties in the delineated area; and
- c. That the majority of the storm water and sanitary sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance; and
- d. That and a program of rehabilitation as defined in N.J.S.A. 40A:12A-3 may be expected to prevent further deterioration and promote the overall development of the community;

WHEREAS, the Governing Body must provide the Planning Board with a draft copy of this resolution prior to its adoption as required by N.J.S.A. 40A:12A-14 which draft resolution is attached hereto as Exhibit B.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park hereby transmits and refers to the Planning Board a draft resolution designating the New Study Area an area in need of rehabilitation which resolution is attached hereto as Exhibit B

Kerwin: Please call the Roll.

Yes: Council Members: Gemian, Moeller, Ross, Thompson, Wild and Kerwin.
 No: None
 Absent: None
 Abstain: Cardillo

The Resolution was adopted.

Kerwin: R16-83, Authorize cancel over billed taxes, 31 Lisa Lane.

Kerwin: Any questions or comments regarding Resolution R16-83?

Ross: So Moved

Thompson: Second

RESOLUTION 16-83

WHEREAS, there was a clerical billing error made on block 61, lot 1 (31 Lisa Road) for the year 2015;

WHEREAS, this exempt Veteran property, which was sold, was changed to ratable and simultaneously billed an added bill as well;

WHEREAS, this property was over billed for the year 2015 and now must be canceled.

WHEREAS, this cancellation will now create a credit that will need to be transferred to 2016;

NOW, THEREFORE BE IT RESOLVED, that the Borough Council hereby authorizes the Tax Collector to do the following;

Block/Lot	Address	Amount	Reason
61/1	31 Lisa Road	\$5,723.51	Clerical Error – Cancel Taxes
61/1	31 Lisa Road	\$1,907.83	Transfer OP to 2016

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.

No: None

Absent: None

Abstain: None

The Resolution was Adopted.

Kerwin: R16-84, Authorize Pay Bills.

Kerwin: Any questions or comments regarding Resolution R16-84?

Moeller: So Moved

Thompson: Second

RESOLUTION R16-84

BE IT RESOLVED, by the Governing body of the Borough of Lincoln Park that the bills on a list filed in the Office of the Borough Clerk having been recommended for payment by the Business Administrator, be and are hereby approved for payment.

BE IT FURTHER RESOLVED that the Treasurer be and hereby is authorized to issue warrants in payment thereof when there are sufficient funds available to meet them;

<u>CHECK NO.</u>	<u>ACCOUNT</u>	<u>TOTAL</u>
443848-4401 1	Current	\$ 3,159,688.15
1354-1359	Accutrack	8,120.00
1130	Affordable Housing	21.75
1360-1361	Dog License	867.00
3326-3327	General Capital	51,807.13
2743-2747	General Trust	7,542.97
2812-2814	Grants	11,701.30
1105	SUI	253.47
2911	Water Capital	266,316.00
8118&bt	Water Utility	159,233.40

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Thompson, Wild and Kerwin.
 No: None
 Absent: None
 Abstain: Ross

The Resolution was adopted.

Kerwin: R16-85, Authorize Pay Confirmed Bills.

Kerwin: Any questions or comments regarding Resolution R16-85?

Thompson So Moved
 Moeller: Second

RESOLUTION R16-85

WHEREAS, it was necessary to issue certain checks to carry on the order of business of the Borough of Lincoln Park;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park that the action of the Mayor and Treasurer in issuing the following checks be and is hereby confirmed:

<u>ACCOUNT</u>	<u>CHK NO.</u>	<u>PAID TO</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
CURRENT				
	BT	LP Board of Education	Jan – 16	\$1,474,980.75
	BT	Payroll Net	Void for Payroll	\$118,478.84
	BT	Payroll Escrow	Void for Payroll	\$95,929.12
	43848	North Jersey Municipal	January 2016 Health Benefits	\$154,012.00
	43849	USPS Reserve Account	Postage	\$3,000.00
	43854	Harrah’s Casino Hotel	NJRPA Hotel Reservation	\$540.00
	43855	Chris Margolis	Reimburse for Vehicle title	\$60.00
	43857	Constant Contact Inc.	Prepayment Deposit	\$216.00
	BT	Payroll Net	Void for Payroll	\$171,370.68
	BT	Payroll Escrow	Void for Payroll	\$86,824.92
	43858	Township of Montville	1 st & 2 nd Quarter Taxes	\$215.08
	43859	Prudential Retirement	January DCRP	\$342.00
	BT	The Depository Trust Co.	Principal of Series 2005	\$300,000.00

Bonds

BT	The Depository Trust Co.	Interest on Series 2005 bonds	\$45,390.63
BT	Payroll Net	Void for Payroll	\$125,642.78
BT	Payroll Escrow	Void for Payroll	\$97,263.05
	Meeting Checks	#43860-44011	\$477,636.05

WATER UTILITY

8118	NJ-PWT	Community Water Tax	\$813.89
BT	Water Payroll	Void for Payroll	\$9,931.84
BT	Water Escrow Payroll	Void For Payroll	\$7,429.85
BT	Water Payroll	Void for Payroll	\$13,979.41
BT	Water Escrow Payroll	Void for Payroll	\$6,603.49
BT	Water Payroll	Void for Payroll	\$12,099.57
BT	Water Payroll Escrow	Void for Payroll	\$8,535.99
BT	Regular Meeting Checks	Checks #8123-8137	\$99,838.36

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Thompson, Wild and Kerwin.

No: None

Absent: None

Abstain: Ross

The Resolution was adopted.

Kerwin: R16-86, Authorize refund tax over payment B4.7, L17.

Kerwin: Any questions or comments regarding Resolution R16-86?

Moeller: So Moved

Ross: Second

RESOLUTION 16- 86

WHEREAS, a tax over payment should be disposed of only upon authorization granted by a detailed resolution adopted by the Governing Body; and

WHEREAS, these over payments should be returned to the respective taxpayers;

NOW, THEREFORE, BE IT RESOLVED By the Governing body of the Borough of Lincoln Park, that the Tax Collector is hereby authorized to make over payment refunds in the amount shown below to the taxpayers:

Block/Lot	Name	Amount	Reason
4.7/17	Douglas Buch	\$2,189.42	Pd by Title co & Mortgage co

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.

No: None

Absent: None

Abstain: None

The Resolution was adopted.

Kerwin: R16-87, Authorize Closed Session, Personnel Matters.

Kerwin: Any questions or comments regarding Resolution R16-87?

Ross: So Moved

Gemian: Second

RESOLUTION R16-87

BOROUGH OF LINCOLN PARK

RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Governing Body of the Borough of Lincoln Park is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Governing Body of the Borough of Lincoln Park to discuss in a session not open to the public certain matters relating to the item or items as authorized and designated below;

As authorized by N.J.S.A. 10:4-12b(7), Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed as a public meeting.

A. Personnel Matters

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, assembled in public session on the 16 day of February 2016, that an Executive Session, closed to the public, shall be on the 16 day of February 2016 at approximately 7:30 pm in the Borough of Lincoln Park, Municipal Building, 34 Chapel Hill Road, Lincoln Park, New Jersey 07035

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.

No: None

Absent: None

Abstain: None

The Resolution was adopted.

VII. MISCELLANEOUS/COUNCIL COMMITTEE REPORTS:

Cardillo: No Report

Gemian: No Report

Moeller: The Department of Public Works is looking into a used garbage truck. The First Aid Squad had a water pipe break from their sprinkler system yesterday, February 15, 2016, which caused a lot of damage.

Ross: No Report

Thompson: The Fire Department had their Installation Dinner this past weekend. Five (5) watches were handed out to five (5) Firefighters who have twenty five (25) years of service or more. Those five (5) Firefighters who were recognized were Sal Marino, Joe Fede, Ira Konifeld, Ron Grabowski and Billy Fritz.

Wild: No Report

Kerwin: No Report

VIII. MAYOR'S AGENDA:

Mayor Runfeldt said that the First Aid Squad had a water pipe that broke from their sprinkler system. The matter is being taken care of at this time. The walls are down and the carpets were taken up. Claims have been filed through the Insurance Company.

With deep regret, two (2) longtime Residents has passed away over the weekend, Bill Vonhassel and Dot Johnson. Condolences to both Families at this difficult time.

He requested a Closed Session Meeting tonight regarding Personnel Matters.

IX. PUBLIC HEARING:

Council President Kerwin asked for a Voice Vote. The Public Hearing was Opened.

Thompson: So Moved
Ross: Second

Council President Kerwin: All in favor, the Council responded as I.

Council President Kerwin: Anyone wishing to speak may do so now.

Richard Hurford, 108 Main Street, asked if there were specific qualifications for the Membership of the Planning/Zoning Board Member?

Mayor Runfeldt responded to Mr. Hurford's question and said that interest would be the number one (1) qualification. Other than that it would be the advice and consent to the Council for Planning Board Members and the Council sets Board of Adjustment Members. There is no educational requirements. For the Planning Board you do have to go to a class, but in terms of being appointed, there is no requirement. If you are interested or know of anyone who is interested, send a resume in and if there is an opening on any Board they will get in touch with them.

Thompson: Seeing that no one else is wishing to speak I move we Close the Public Hearing.
Moeller: Second

Councilman Kerwin asked for a Voice Vote. The Council responded as I. The Public Hearing was Closed

X. CLOSED SESSION:

Moeller: Motion to go to Closed.

Ross: Second

Motion passed unanimously.

NJSA 10:4-12b (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege.

a. Personnel Matters

Moeller: Motion to come out of Closed

Ross: Second

Motion passed unanimously.

The meeting was reopened to the public with the same members present.

Chris DiLorenzo, Borough Attorney, stated that No formal action was taken by the Council.

XI. ADJOURNMENT:

Thompson: Motion to Adjourn.

Ross: Second

There being no further business to come before the Council the Regular Meeting of February 16, 2016 was adjourned at 7:49 PM.

Council President, Raymond Kerwin

Municipal Clerk, Cindi Sloane, RMC, CMR